

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

In Re:)	
)	
KEVIN LEE EARHART, and)	Case No. 08-40158-659
FRANCESCA CHRISTINE EARHART,)	Chapter 7
)	
Debtors.)	

ORDER

The matter before the Court is Motion to Reconsider Order on Generic Application for Payment of Unclaimed Funds (hereinafter "Motion to Reconsider") filed by Chapter 7 Trustee, Fredrich J. Cruse. In the Motion to Reconsider, Trustee states that Trustee's Motion to Deposit Funds into the Court Registry failed to indicate that both Debtor and Co-Debtor had an interest in the funds in question. Trustee further states that the software that Trustee uses generates the claim for surplus funds based only on the first named Debtor, therefore in this case leaving Co-Debtor's name off the check as payee. Finally, Trustee states that Trustee is not aware of any reason why Co-Debtor would not be entitled to one-half of the funds in question. Therefore, based upon a consideration of the record,

IT IS ORDERED THAT Motion to Reconsider Order on Generic Application for Payment of Unclaimed Funds is **GRANTED** and the Order dated August 17, 2021 denying the Application for Payment of Unclaimed Funds filed by Grace Recover Center, LLC on behalf of Francesca Christine Earhart is **SET ASIDE**; and

IT IS FURTHER ORDERED THAT the Application for Payment of Unclaimed Funds filed by Grace Recovery Center, LLC on behalf of Francesca Christine Earhart filed on November 15, 2021 is **GRANTED** and Claimant is entitled to \$9,959.73.



KATHY A. SURRATT-STATES
Chief United States Bankruptcy Judge

DATED: November 24, 2021
St. Louis, Missouri

Copies to:

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